

EXHIBIT A

VOL. I
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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

C.A. NO. 03 12599 JLT

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CHRISTINA R. CURCURU,

Plaintiff

VS.

MASSACHUSETTS BAY TRANSPORTATION
AUTHORITY AND AMTRAK,

Defendants

* * * * *

Deposition of CHRISTINA R. CURCURU, a witness
called by counsel for the Defendant, Amtrak, pursuant
to the applicable rules, before Lorreen Hollingsworth,
CSR/RPR, CSR NO. 114793, and Notary Public in and for
the Commonwealth of Massachusetts, at the Offices of
Bonner Kiernan Trebach & Crociata, One Liberty Square,
Boston, Massachusetts, on Wednesday, December 7, 2005,
at 1:15 p.m.

1 Q So Steven and Anthony were?

2 A Yes.

3 Q They're the only siblings that were raised
4 with you?

5 A Yes.

6 Q And when did your adopting parents
7 separate?

8 A When I was 6 or 7.

9 Q And what effect did that have on you?

10 MR. MATHESON: Objection.

11 What exactly are you asking?

12 MR. HUGHES: I'm asking what
13 emotional effect this separation had on
14 her.

15 A Nothing major. It was a fine -- it wasn't
16 an angry divorce or anything.

17 Q And did your mother remarry?

18 A No.

19 Q And when I say mother, I mean your adoptive
20 mother?

21 A Yes.

22 Q So she raised you and your brother and
23 half-brother or excuse me, adopted brother
24 by herself then, from that point on?

1 suffered any emotional or physical harm
2 because of this accident?

3 A Yes.

4 Q And if you could describe for me what harm
5 you've suffered?

6 A I have difficulty starting relationships,
7 friendships, speaking to people. I have
8 really bad anxiety. I've had nightmares
9 that have progressively gotten worse and
10 it's very difficult for me to trust
11 anybody.

12 I feel like I have no
13 self-esteem anymore. And I don't feel very
14 feminine anymore. And with my boyfriend,
15 he can't even kiss me without me thinking
16 about the train incident.

17 Q You do kiss your boyfriend now?

18 A Yes.

19 Q Have these symptoms gotten better or worse
20 since this occurred?

21 A Worse, sometimes worse than other times.

22 Q So you feel that your emotional condition
23 is worse now than it was in, say, the
24 spring of 2002?

1 A Yes.

2 Q And what kind of nightmares did you have?

3 A I have nightmares I'm being raped with
4 knives.

5 Q How often do you have the nightmares?

6 A They come and go. Sometimes they'll be --
7 I won't have them for a while and then it
8 will come back. And just running from
9 someone who's going to rape me. That's in
10 my mind. And it's always revolved around
11 someone that's running that's going to be
12 raping me or someone sticking knives in me.

13 Q Have you ever been physically assaulted by
14 anyone with a knife?

15 A No.

16 Q And other than the instance here that
17 brings us here today, have you been
18 attacked by anybody --

19 A No.

20 Q -- physically?

21 A In 8th grade some girls pushed me. That's
22 basically it. I wouldn't call that an
23 attack, though.

24 Q And before this incident, you had had

1 sexual intercourse before?

2 A Yes.

3 Q And so did you seek treatment for your
4 feelings and your harm that you
5 experienced?

6 A Yes.

7 Q Who did you first seek treatment from?

8 A The first person that I started going to
9 was Susan Jampel.

10 Q Who is she?

11 A She was my therapist in Brookline.

12 Q When did you first see her ever in your
13 life?

14 A I want to say early spring of 2002, but it
15 might have been late winter/early spring.

16 Q And how was it that you started going to
17 see her?

18 A I don't remember.

19 Q Did you have a primary care physician in
20 November of 2001?

21 A Yes.

22 Q Who was that?

23 A Amy Bonner Esdale.

24 Q I'm sorry, the last -- Bonner what?

1 feel better?

2 A When I left her -- each time that I went to
3 her, I felt okay. I left and I felt happy
4 that I could talk to somebody about it.
5 And it was a safe environment to just speak
6 freely and be upset. But after I was done
7 with my treatment with her, I wasn't
8 better.

9 Q So the 15 to 20 visits did not help you
10 long term?

11 A No.

12 Q Did you discuss other problems that you had
13 other than the incident with Ms. Jampel?

14 A Yes.

15 Q And was your emotional state at that time
16 attributable to other things as well as the
17 incident?

18 A Can you rephrase the question?

19 Q You were emotionally upset at that time,
20 correct?

21 A Yes.

22 Q Which is why you were seeing her?

23 A Yes.

24 Q And did either you or Ms. Jampel attribute

1 your emotional state to anything in
2 addition to your experience with Mr. Hardy?

3 A No. I mean, there were day-by-day things,
4 like, oh, I had an argument with my
5 roommate and I would tell her about it. Or
6 things in my family life, I'd tell her
7 about it. But I was there because I was
8 distraught from what happened on the train.

9 Q Have you seen the letter that Ms. Jampel
10 wrote to your attorney relating to your
11 visits?

12 A No.

13 MR. HUGHES: Why don't we mark
14 that as our first exhibit.

15 (Exhibit No. 1, The letter
16 dated 12/7/04 from Susan
17 Jampel, was marked for
18 identification.)

19 MR. MATHESON: Excuse us for a
20 second.

21 MR. HUGHES: Okay.

22 (The witness and Attorney
23 Matheson exited the room.)

24 MR. HUGHES: Off the record.

1 (Off the record)

2 Q Ms. Curcuru, have you had a chance to
3 review Exhibit 1?

4 A Yes.

5 Q And you've not seen this document before?

6 A No.

7 Q Now, in the second paragraph, Ms. Jampel
8 writes in the second sentence, last parts
9 of it says, "In combination with late" --
10 I'll read the whole sentence, "It was my
11 impression that she was suffering from
12 post-traumatic stress syndrome in
13 combination with late adolescent adjustment
14 issues and a history of loss and trauma
15 within her family."

16 Do you know what late
17 adolescent adjustment issues she's
18 referring to here?

19 A I don't.

20 Q And what history of loss and trauma is she
21 referring to?

22 A I don't know. I've never lost anyone in my
23 family. I don't know.

24 Q Did you discuss with Ms. Jampel the fact

1 that you were adopted?

2 A Yes.

3 Q And how was it that you came to be adopted,
4 do you know?

5 A Yes.

6 Q How was it?

7 A It's complicated, but my adoptive
8 parents -- my adoptive father's cousin's
9 wife had a niece who had a two-year-old son
10 that she couldn't take care of and through
11 the grapevine they knew that my adoptive
12 parents couldn't have children, so they
13 adopted him. And then when the woman got
14 pregnant again years down the road with me,
15 she asked my parents if they'd want to keep
16 me as part of the family and keep the two
17 of us together. So my parents said
18 definitely and they adopted me.

19 Q So have you met your birth mother?

20 A Yup.

21 Q And what's your relationship with her?

22 A We don't really have a relationship. I've
23 met her. Occasionally I will go to her
24 Christmas Eve gathering, but we don't -- I

1 wouldn't consider us having a relationship
2 at all, just, kind of, like strangers or
3 acquaintances. If I saw her on the street,
4 I'd say hello, but that's it.

5 Q And have you met your birth father?

6 A Yes.

7 Q And do you spend any time with him?

8 A Yes. He and I met when I was in college.
9 It was after the incident on the train, and
10 I think he's great. I haven't talked to
11 him recently, but he's another person I
12 don't consider I have a real relationship
13 with him or anything, but just a nice
14 person. Every once in a while I'll shoot
15 him an e-mail or say hello, kind of, like,
16 an uncle or something, a distant uncle.

17 Q So you don't consider your adoption in any
18 way to be a traumatic experience for you?

19 A No.

20 Q Or learning about your biological parents
21 in some way?

22 A No.

23 Q So you have no idea what she means when she
24 mentions history of trauma and loss in your

1 family?

2 A No.

3 Q And on the bottom of the third paragraph,
4 the last sentence she says, "Within the
5 limitations that existed she dealt with the
6 aftermath of her trauma, managed to
7 complete the second year of her college
8 program, and to work on family and social
9 relationships."

10 Do you know what family and
11 social relationships you needed to work on
12 at that time?

13 A No. I mean, I had roommates. I went home
14 all the time. I don't know what she's
15 talking about.

16 Q Were you having difficulty with romantic
17 relationships at that time or prior to that
18 time?

19 A I didn't have a romantic relationship at
20 that time when I was seeing her. I was --
21 I mean, I was traumatized. I was afraid of
22 trying to have a relationship or be with
23 anybody intimately. But I didn't have
24 anybody that I was trying to work out

1 something with.

2 Q Prior to the incident, were you having
3 difficulties having romantic relationships?
4 Was that discussed with Ms. Jampel?

5 A Prior to the incident?

6 Q Yes.

7 A No.

8 Q So, again, you don't know what she's
9 referring to there?

10 A No.

11 Q So during your 18 visits, as she describes
12 it -- describe for me how much of your time
13 was spent discussing incident-related
14 matters, this incident.

15 A I would say maybe 50 percent of the time.
16 I don't remember clearly.

17 Q 50/50?

18 A Yes.

19 Q Have you ever been on any medication for
20 your emotional condition?

21 A No.

22 Q Did you ever ask any of your physicians to
23 prescribe medications for your emotional
24 state?

1 Eric Hardy's face or if he kisses me, I'll
2 see Eric Hardy's face if I close my eyes.
3 Not all the time, but when it does happen,
4 I stay in this mind-set for, like, weeks.

5 Q Have you ever told Mr. Gold about this?

6 A Not yet.

7 Q What about Ms. Jampel? Did you ever tell
8 her that you had that problem?

9 A She knew that I was worried that I -- you
10 know, that every guy I see -- I told her
11 every guy I see, I'm afraid they're going
12 to be just like him.

13 Q What about this projecting of the face of
14 Eric Hardy onto the person of whoever
15 your -- romantic involvement.

16 A Not until recently.

17 Q Okay. And are you subject to any
18 unforeseen emotional outbursts as a result
19 of having been involved in this incident?
20 Do you start crying for no reason at all?

21 A I've had anxiety where I'll get, like, my
22 heart will start pounding out of nowhere
23 and then I get scared and I don't know
24 what's happening and I'll start crying.

1 MR. SAHOVEY: Okay. That's
2 all I have.

3 MR. HUGHES: I actually have
4 one or two follow-up questions here.

5 REDIRECT EXAMINATION

6 BY MR. HUGHES

7 Q In terms of the pregnancy, did you have an
8 abortion?

9 A Yes.

10 Q And when did that take place?

11 A June.

12 Q June?

13 A Yes.

14 Q And was this pregnancy the result of your
15 relationship with your current boyfriend?

16 A Yes.

17 Q And was it decided to be done for medical
18 reasons or for other reasons?

19 MR. MATHESON: Objection.. You
20 don't have to answer unless you feel
21 comfortable doing so.

22 A I don't want to answer that.

23 MR. HUGHES: What's the basis
24 of your objection?

1 MR. MATHESON: Her right to
2 privacy.

3 MR. HUGHES: She's claiming to
4 be very distressed right now.

5 MR. MATHESON: I agree, and I
6 think she's answered very invasive
7 questions. I understand the basis of her
8 claims, and I still feel she has a right to
9 privacy to this information.

10 MR. HUGHES: I don't agree
11 because I believe it goes to her state of
12 mind now, and I need to know whether
13 there's other influences on that state of
14 mind beyond the incident with Mr. Hardy.

15 I don't need to know a lot of
16 details about it. I just need to know if
17 it was because of a medical reason or
18 whether it was a choice in your life. I
19 think that's a very reasonable question.

20 MR. MATHESON: My client told
21 me she doesn't feel comfortable. I believe
22 the basis of my objection is solid and I'm
23 going to leave it at that.

24 MR. HUGHES: Okay. I'll

1 disagree and we may address this before the
2 Court.

3 MR. MATHESON: Very well.

4 MR. HUGHES: To do this
5 formally, I'm reserving my right to obtain
6 that information, and I'm suspending this
7 deposition rather than concluding it.

8 MR. MATHESON: On the basis of
9 that question?

10 MR. HUGHES: That's correct,
11 not being answered. I have nothing else.

12 MR. SAHOVEY: I don't have
13 anything else either.

14 MR. MATHESON: Very briefly.

15 CROSS-EXAMINATION

16 BY MR. MATHESON

17 Q You only noticed one other conductor on the
18 date of the incident?

19 A Yes.

20 Q And that was the older gentleman you
21 described?

22 A Yes.

23 Q And I believe you stated you didn't want to
24 play the guitar as much?